

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,  
Plaintiff,

vs.

21-CR-1326 MV

EPIFANIO ESPINOSA,  
Defendant.

**UNOPPOSED MOTION TO WITHDRAW AS COUNSEL**

COMES NOW Erlinda Johnson, undersigned counsel, and hereby respectfully moves this Court for an order allowing counsel to withdraw from representation of Defendant Epifanio Espinosa, and for the appointment of new counsel pursuant to the Criminal Justice Act (CJA) and as reasons therefore submits the following:

1. On August 25, 2021, Mr. Espinosa was arrested pursuant to a criminal complaint filed alleging felon in possession of a firearm and possession with intent to distribute more than 50 grams of methamphetamine.
2. On September 9, 2021, undersigned counsel filed a notice to substitute counsel.
3. Counsel have met with Mr. Espinosa several times, read the discovery to him verbatim and reviewed multiple videos with him.
4. Defense counsel also reviewed the U.S. Sentencing Guidelines with Mr. Espinosa as well as discussed Mr. Espinosa's legal options with him. However, it is evident to counsel that there exists a lack of trust in the attorney-client relationship and a breakdown in substantive communication.

5. Given the current state of the attorney-client relationship, it is best for undersigned counsel to withdraw from Mr. Espinosa's case.

6. Counsel respectfully moves this Court for an order allowing her to withdraw from representation in this matter and for the court to appoint new counsel pursuant to the Criminal Justice Act.

7. The government, through Assistant U.S. Attorney Paul Spiers, advised the government does not object to this motion to withdraw as counsel.

WHEREFORE, for the foregoing reasons, Mr. Espinosa respectfully requests this Court issue an order allowing counsel to withdraw from representation and for the appointment of new counsel pursuant to the Criminal Justice Act (CJA).

Respectfully Submitted,

electronically filed 11/15/21  
Erlinda O. Johnson  
Attorney at Law  
620 Roma Ave. N.W.  
Albuquerque, NM 87102

I hereby certify that a true and  
Correct copy of the foregoing  
Was provided to the government  
Via CM-ECF, on this 15<sup>th</sup> day  
Of November 2021.

/s/  
Erlinda O. Johnson